State of California-Health and Human Services Agency

Department of Health Services

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CCS Information Notice No.: 05-03

TO: ALL CALIFORNIA CHILDREN SERVICES (CCS)
              ADMINISTRATORS

SUBJECT: REQUIRED USE OF HIPAA COMPLIANT SOFTWARE FOR CMS NET

HIPAA privacy compliance requires all aspects of electronic data transmission of patient records to be secure. CMS Net is a statewide application residing at the Health and Human Services Data Center (HHSDC) and utilizing the HHSDC network infrastructure for connectivity. HHSDC has firewalls protecting or limiting access to the CMS Net application. However, the HHSDC network also connects to many trusted network partners or foreign networks that HHSDC does not control. These connections are susceptible to unauthorized access. A hacker or intruder can gain access or "sniff" from foreign networks and capture confidential information passed between clients' workstations and CMS Net servers in "clear text", leaving the system at risk for hackers to "sniff" out information such as CMS Net usernames and passwords to access our system and gain access to protected health information or inflict system damage.

HIPAA requires that CMS provide a secure data solution, which secures each data transaction. The CMS Web application uses Secure Socket Layer (SSL) to encrypt transactions between the user's workstation and server and, therefore, is HIPAA compliant; however the Legacy CMS Net application is not. The Legacy CMS Net utilizes Telnet Services TCP Port 23 which allows remote County users to access CMS Net servers.

By using Secure Shell (SSH) Services TCP port 22 which uses secure encryption on our server, data transmitted between servers and workstations will not be in clear text. All counties will be required to use SSH at each user workstation that connects to CMS Net servers.

The CMS Branch is committed to implementing SSH for CMS applications by **August 31, 2005** and needs County staff to work with us to complete. CMS Information Technology Services Unit (ITSU) staff has tested several SSH software packages and

recommend two of them (please see attached). The software needs to be installed and configured on each workstation connecting to CMS Net servers. The cost of the software packages is $52 to $62 per workstation for the initial license plus 1 (one) year maintenance. These software expenses shall be applied toward each county's Fiscal Year (FY 2004-05) CCS Administrative Budget and submitted on the county's quarterly expenditure invoice. A budget revision is not required by the CMS Branch. However, if the county identifies a need to submit a budget revision, please contact your Regional CCS Administrative Consultant for further direction. The County must purchase the necessary software for each CCS and CCS Medical Therapy Unit (MTU) user's workstation by **June 30, 2005**. The County's Quarterly CCS Administrative Expenditure Invoice must reflect this one time cost under the "Operating Expense" line item with an asterisk identifying the total cost of the software (see sample attached). A copy of the vendor's invoice must be attached when submitting the Quarterly Expenditure Invoice.

ITSU staff will contact CCS Administrators soon to obtain preliminary information, such as the current number of users at each physical location, and update County desktop and infrastructure support staff names and contact information. ITSU staff will contact County IT staff to see if the county presently uses an SSH software package deployed for any CCS users and contact County Infrastructure support staff to open up port 22 to allow traffic for the designated source/destination(s).

Your cooperation and assistance is necessary in order to comply with HIPAA requirements. Please make sure County IT support staff completes installation of desktop software, modify firewall(s)/router(s) and test network connectivity using SSH by **August 31, 2005** as we plan to disable telnet TCP port 23 effective **September 1, 2005**. **Please allow plenty of lead-time in the event you run into any problems**.

If you have any budget related questions, please contact your Regional CCS Administrative Consultant. Please see attached list for contact names and numbers. If you have any questions regarding desktop or infrastructure changes, please contact Seth Phomsopha, at (916) 327-2338, or Lisa Wataji at (916) 327-1593.

Original signed by Marian Dalsey, M.D., M.P.H.

Marian Dalsey, M.D., M.P.H., Acting Chief
Children's Medical Services Branch

Attachment